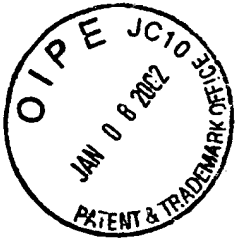


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PATENT
Docket No. 359872000821



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gilles H. TAPOLSKY and David W.
OSBORNE

Serial No.: 09/069,703

Filing Date: April 29, 1998

For: PHARMACEUTICAL CARRIER
DEVICE SUITABLE FOR DELIVERY
OF PHARMACEUTICAL
COMPOUNDS TO MUCOSAL
SURFACES

Examiner: E. Webman

Group Art Unit: 1617

**DECLARATION OF DAVID W. OSBORNE
PURSUANT TO 37 C.F.R § 1.131**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, David W. Osborne, declare as follows:

1. Gilles H. Tapolsky and I are inventors named in the above-referenced patent application, and are familiar with the contents thereof.
2. The work of Gilles H. Tapolsky was completed under my direction.
3. We completed the invention claimed in the subject application prior to June 27, 1996. The following paragraph summarizes the document attached to this declaration which is submitted as evidence of same. The attached document was prepared in the U.S. prior to June

27, 1996. All of the activities reported in these documents occurred in the U.S. prior to June 27, 1996.

4. *Exhibit A* is a photocopy of pages 50, 51, and 53 from laboratory notebook number 10 of Gilles H. Tapolsky. Pages 50 and 53 are included as evidence to show that the entry on notebook page 51 is dated June 4, 1996. The entry on page 50 is dated June 2, 1996 and the entry on page 53 is dated June 5, 1996. The experiment recorded on page 51 documents the making of a film having a bioadhesive layer made of hydroxyethyl cellulose (Natrosol 250 LP), polyacrylic acid (Noveon AA1), and sodium carboxymethyl cellulose (NaCMC, formulation 10/51-6), and a non-adhesive backing layer made of hydroxyethyl cellulose (Natrosol 250 LP, formulation 10/51-1).

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

11/16/01
Date

David W. Osborne
David W. Osborne